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A/FW/B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

08/767291

1-30-97

In re Application of: **John H. Vrzalik**

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Attorney Docket No:

06 2916.295

Assignee: **Kinetic Concepts, Inc.**

Examiner: **T. Pham**

Serial No: **08/382,150**

Group Art Unit: **3508**

Filed: **January 31, 1995**

Title: **BARIATRIC BED APPARATUS
AND METHODS**

FILE WRAPPER CONTINUING (FWC) APPLICATION

COMMISSIONER OF PATENTS
AND TRADEMARKS

Box FWC

Washington, D.C. 20231

Sir:

This is a request for a filing under the file wrapper continuation (FWC) procedure, 37 C.F.R. § 1.62, for continuation of the above-captioned application. Said application, in which no payment of issue fee, abandonment or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all of the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.62 continuing application, be it this application or a prior application in the same file wrapper, the Office may provide similar information or access to all other applications in the same file wrapper.

This application has the same inventors and discloses and claims only subject matter disclosed in the prior application captioned hereinabove. Further, the inventorship for all the claims in this application is the same. A declaration or oath is not required for this application. The sole inventors' full name, citizenship and residence and post office addressees are as follows:

GRD

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EDT

Inventor's Name: John H. Vrzalik
Citizenship: United States of America
Residence Address: 4444 Lane Dr.
San Antonio, Texas 78263 TX
United States of America
Post Office Address: Same As Above

The fees to be charged are to be based on the number of claims on file in the prior application. Attached is a check in the amount of \$770.00 for the basic filing fee. The Commissioner is hereby authorized credit any overpayment to Deposit Account No. 01-0477. A duplicate copy of this request is enclosed.

Domestic priority is hereby claimed under 35 U.S.C. § 120 to the filing dates of the following U.S. patents and/or applications therefor. Accordingly, please amend the first sentence of the to read as follows:

B¹ --This application is a continuation of co-pending application Serial No. 08/382,150 filed January 31, 1995, now abandoned.--

Power of Attorney to Charles W. Hanor, Reg. No. 27,132, and William H. Quirk, IV, Reg. No. 33,996, is filed herewith. Please direct all future correspondence to:

Mr. Charles W. Hanor
Akin, Gump, Strauss, Hauer & Feld, L.L.P.
300 Convent Street, Suite 1500
San Antonio, Texas 78205

Please direct all telephone calls to Mr. William H. Quirk, IV at 210/255-4545.

Respectfully submitted,

EXPRESS MAIL mailing label No EM22616593045

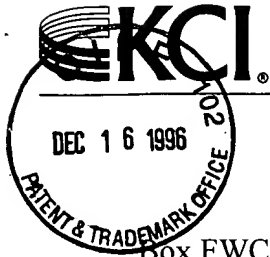
Date of Deposit 16 DEC 19 96
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" Post Office to Addressee service under 37 CFR 101.11 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231

KINETIC CONCEPTS, INC.
P.O. Box 659508
San Antonio, Texas 78265-9508
(210) 255-4545
(210) 225-4285 (Fax)

By:

William H. Quirk, IV
Reg. No. 33,996

08/767291



December 16, 1996

Box FWC
COMMISSIONER OF PATENTS
AND TRADEMARKS
Washington, D.C. 20231

Re: U.S. Application Serial No. 08/382,150
Title: BARIATRIC BED APPARATUS AND METHODS
Our Docket No. 06 2916.295

Dear Sir:

Enclosed herewith for filing are the following:

1. Cover letter and one copy thereof;
2. File Wrapper Continuing Application;
3. Petition for Extension of Time
4. Checks totaling \$1,160; and
5. An acknowledgment postcard.

The Commissioner is hereby authorized and requested to credit the overpayment, or to charge any deficiency, to Deposit Account No. 01-0477. A duplicate copy of this transmittal letter is enclosed.

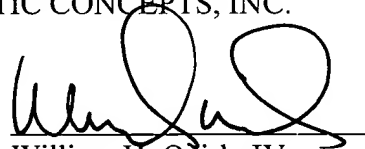
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Respectfully submitted,

Date of Deposit 16 DEC 19 96
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D.C. 20231

KINETIC CONCEPTS, INC.

By:


William H. Quirk, IV
Reg. No. 33,996

WHQ:ddb
c:patent/0043.doc
Attachments